

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 EVERYSpace CONSTRUCTION LLC,

4 Plaintiff

5 v.

6 ENCOR SOLAR, LLC, et al.,

7 Defendants

Case No.: 2:23-cv-01105-APG-DJA

**Order Denying Motions to Dismiss as Moot**

[ECF Nos. 34, 49]

8 In light of the third amended complaint (ECF No. 55),

9 I ORDER that the defendants' motions to dismiss (ECF Nos. 34, 49) are **DENIED as**  
10 **moot** because they are directed at earlier versions of the complaint.

11 DATED this 6th day of November, 2023.

12 

13 **ANDREW P. GORDON**  
14 **UNITED STATES DISTRICT JUDGE**